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9 Attorneys for Plaintiff

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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14
15 UNITED STATES OF AMERICA,) No.: CR 3-05-70262 JL
16 Plaintiff,)
17 v.) [PROPOSED] ORDER EXCLUDING
18 TIFFANY STUART, aka Jane Doe,) TIME UNDER THE SPEEDY TRIAL ACT
19 JENNIFER LANGE, and)
20 BRANDY DOUGLAS,)
21 Defendants.)

)

22 This matter came on the calendar of the Honorable Nandor J. Vadas on July 21, 2005, for
23 preliminary hearing or arraignment as to defendants TIFFANY STUART, JENNIFER LANGE,
24 and BRANDY DOUGLAS. At the parties' request, the Court continued the matter until
25 September 6, 2005 for preliminary hearing or arraignment. The defendants had previously
26 agreed to an extension of time for the preliminary hearing under Federal Rule of Criminal
27 Procedure 5.1(d). The parties agree that a further extension of time implicates the Speedy Trial
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[PROPOSED] ORDER EXCLUDING TIME
UNDER THE SPEEDY TRIAL ACT
No.: CR 3-05-70262 JL

1 Act, 18 U.S.C. § 3161(b), because this extension is beyond the thirty-day time limit for
2 indictment required by the Speedy Trial Act.

3 The parties requested an exclusion of time under the Speedy Trial Act from July 21
4 through September 6, 2005 based upon the need for effective preparation of counsel. The
5 government is in the process of providing discovery to the defense. Additionally, the parties are
6 engaged in discussions which may lead to pre-indictment resolution of this matter. Therefore,
7 the parties are requesting an exclusion of time under the Speedy Trial Act. The parties agree that
8 the time from July 21 through September 6, 2005 should be excluded in computing the time
9 within which an information or indictment must be filed. See 18 U.S.C. § 3161(h)(8)(A) and
10 (B)(iv).

11 Accordingly, the Court HEREBY ORDERS that the time from July 21 through
12 September 6, 2005 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds
13 that the failure to grant the requested exclusion would deny the defendants reasonable time
14 necessary for effective preparation, taking into account the exercise of due diligence. See 18
15 U.S.C. § 3161(h)(8)(B)(iv). The Court finds that the ends of justice served by granting the
16 requested exclusion outweigh the best interest of the public and the defendants in a speedy trial
17 and in the prompt disposition of criminal cases. See 18 U.S.C. § 3161(h)(8)(A). The Court
18 therefore concludes that this exclusion of time should be made under 18 U.S.C. § 3161(h)(8)(A).

19 SO ORDERED.

20 DATED:



HONORABLE EDWARD M. CHEN
UNITED STATES MAGISTRATE JUDGE

22 Approved as to form: Nandor J. Vadas

23 /s/ Josh Cohen

24 JOSH COHEN, ESQ.
Assistant Federal Public Defender
25 Attorney for Defendant Stuart

26 /s/ Suzanne Luban

27 SUZANNE LUBAN, ESQ.
Attorney for Defendant Lange

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1
2 /s/ Geoffrey Rotwein
3 GEOFFREY ROTWEIN, ESQ.
4 Attorney for Defendant DOUGLAS

5 /s/ Monica Fernandez
6 MONICA FERNANDEZ
7 Assistant United States Attorney
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